

REMARKS

Claim Status

Applicants thank the Supervisory Examiner, Mr. Ahmad Matar, for his courtesies extended to their representative during the telephonic interview conducted on August 8, 2007, and for his assistance in furthering prosecution on the merits of the instant application. During the telephonic interview, independent claim 1 was discussed. However, no agreement with respect to patentability of the claims over the prior art was reached. The following comments expand on the subject matter discussed during the telephonic interview.

Claims 1-3, 5, 6, 21-34 are now pending, with claims 1 and 3 being the independent claims. Claims 1, 3, 26-30 and 33 have been amended. Support for the amendments to claims 1 and 3 may be found, for example, at pg. 8, lines 10-12 of the specification as originally filed. No new matter has been added. Reconsideration of the application, as amended, is respectfully requested.

Claims 1-3, 5-6 and 21-24 stand rejected under 35 U.S.C. §102(e) as anticipated by U.S. Patent No. 6,404,877 (“*Bolduc*”). Claims 25-34 stand rejected under 35 U.S.C. §103(a) as unpatentable over *Bolduc* in view of U.S. Patent No. 6,999,574 (“*Baker*”). For the reasons which follow, it is respectfully submitted that all pending claims of the present application are patentable over the cited references.

Independent claim 1 has been amended to recite, *inter alia*, the steps of “receiving at a processor a telephone call having routing information sent directly from an originating party to a called terminating party” and “determining an identity of the called terminating party based on a query, which occurs at the processor, of a directory database that stores information associating contact information with the identity of the called terminating party.” Independent claim 3 has

been correspondingly amended. Support for the amendments may be found, for example, at pg. 8, lines 10-12 of the specification as originally filed. No new matter has been added.

The Office Action (pg. 2, paragraph 2) states:

Bolduc teaches a method, comprising:
receiving at a processor (e.g. service node 190) a telephone call having routing information (e.g. caller's request for a product of interest) from an originating party (e.g. caller 100) (see figs 1-3; col. 2, ln 36-col. 3, ln 7; and col. 5, ln 21-col. 6, ln 50);

...

determining an identity of the terminating party at the processor.... (see figs 1-3; col. 2, ln 36-col. 3, ln 7; and col. 5, ln 21-col. 6, ln 50)

With respect to the foregoing, however, Applicants respectfully assert that *Bolduc* fails to teach amended independent method claim 1. Specifically, *Bolduc* fails to teach the steps of “receiving at a processor a telephone call having routing information sent directly from an originating party to a called terminating party ... determining an identity of the called terminating party based on a query, which occurs at the processor, of a directory database that stores information associating contact information with the identity of the called terminating party,” as recited in amended claim 1.

Bolduc (col. 2, lines 36-38) states, “once the caller dials the toll-free 1-800-FIND-4-ME number, the call is routed via a toll switch in a well known manner to a server...”. *Bolduc* (col. 2, lines 39-42) teaches that in response to the call from a user, an announcement will play, such as “Welcome to the toll-free search service. Please give me the category or type of information you request”. *Bolduc* (col. 2, lines 42-44) states, “the caller will be asked to identify a category of interest to the user such as ‘clothing catalog services’ or ‘bicycling catalogs’”. *Bolduc* (col. 2, lines 44-47) further states, “in response, a voice interactive system will ask the caller to verify that the listing or information is truly what the caller wishes by repeating the request”. *Bolduc*

thus teaches that the caller dials a toll free access number that is associated with a search system and identifies a subject of interest when seeking to obtain a toll-free number associated with the subject of interest. However, this toll free access number is an intermediate number as opposed to the final destination of the original call. Amended independent claim 1 defines that the call from the originating party goes directly to the called party for whom the call is intended, i.e., the called terminating party.

Bolduc (col. 2, lines 50-52) teaches that a voice interactive system initiates a search that may occur via the Internet or telecommunications data links to a centralized database once the request is verified. *Bolduc* (col. 2, line 63-67) states, “upon receipt at the server of the data responsive to the query, a response to the user is provided by the network-based voice interactive system such as: ‘There are five matches to your information request. Would you like to hear about them?’” *Bolduc* (col. 2, line 67 thru col. 3, line 7) teaches that the user responds and interacts with the system to connect to a company by entering a response on the key pad of the telephone.

Bolduc (col. 4, line 21-24; Fig. 2) teaches that the service node 190 comprises speech recognition circuits 220 for recognizing speech of a caller and providing the speech data to a controller/processor 210 for processing. *Bolduc* (col. 4, line 24-29) teaches that the service node 190 may alternatively, or additionally, comprise tone detection circuitry for recognizing dialed multi-frequency tone signal indicators according to well-known telephone dialing keypads of numerals or groups of three alphabetic letters. Clearly, *Bolduc* teaches a voice interactive system that requires the caller to determine the category and input the final destination of his call into the system in an indirect, intermediary manner.

In contrast, independent claim 1 recites the step of “receiving at a processor a telephone call having routing information sent directly from an originating party to a called terminating party”. That is, the claimed invention defines that the call occurs directly from the originating party to the terminating party. As a result, the routing information is already provided by the originating party when the call is initially made and the terminating party is the actual party that the originating caller wishes to contact, such as an airline booking and reservation center (see, for example, pg. 4, line 3 of the originally filed specification). *Bolduc*, however, teaches that a call is made to an intermediate access number for finding information, and the routing information is not determined for the caller when the call is initialized, but rather after the processor performs a match and provides one or more options for one or more terminating parties.

Amended independent claim 1 further recites the step of “determining an identity of the called terminating party based on a query, which occurs at the processor, of a directory database that stores information associating contact information with the identity of the called terminating party.” *Bolduc* fails to teach this step. *Bolduc* (col. 2, lines 40-42) specifically teaches that in response to the call from the user an announcement will be played to the caller, such as “Welcome to the toll-free search service. Please give me the category or type of information you request”. *Bolduc* thus teaches that the identity of the terminating party is obtained from or provided by a human caller. In contrast, in the present invention, the identity of the terminating party is contained in the routing information that is provided at the same time that the call from the originating party is received at the processor. As a result, the claimed invention permits the determination of the identity of the terminating party based on a query, which occurs at the

processor, of a directory database that stores information associating contact information with the identity of the called terminating party, without further interaction or input from the caller.

Moreover, *Bolduc* is clearly silent with respect to Applicants' claimed steps of "determining at a processor targeted marketing materials" and "providing [those] targeted marketing materials from the processor to an originating party", as recited in independent claim 1. The marketing materials of the claimed invention can comprise a coupon, such as a coupon for a competing airline ticket that can be redeemed for any national roundtrip ticket booked within the upcoming six months (see pg. 4, lines 8-13 of the originally filed specification). *Bolduc* fails to teach such a claimed concept. In fact, *Bolduc* fails to even make any mention of the word "coupon", or anything related to the concept of discount coupons.

In view of the foregoing, Applicants respectfully assert that amended independent method claim 1 is patentable over *Bolduc*, and therefore reconsideration and withdrawal of the rejection under 35 U.S.C. §102(e) are respectfully requested.

The Examiner (pg. 3 of the Office Action) acknowledges that *Bolduc* fails to teach or suggest "the use of a VoIP transaction received from the originating party, as recited in dependent claim 25", and cites *Baker* for this feature. The combination of *Bolduc* and *Baker*, however, fails to achieve Applicants' claimed method; there is nothing in *Baker* to cure the above-noted deficiencies in *Bolduc*. That is, *Baker* fails to teach or suggest claimed the receiving and determination steps, in the manner required by Applicants' amended independent claim 1. Therefore, dependent claim 25 is also patentable from which claim 25 depends thru dependent claim 5.

In view of the foregoing, dependent claim 25 is patentable over the combination of *Bolduc* and *Baker* on at least this basis. Withdrawal of the rejection under 35 U.S.C. §103(a) is therefore requested, and a notice to that effect is earnestly solicited.

Independent claim 3 is the system in which the method of independent method claim 1 is implemented. Accordingly, independent system claim 3 is patentable over *Bolduc* for the reasons discussed above with respect to independent method claim 1.

In view of the patentability of independent claims 1 and 3, for the reasons set forth above, dependent claims 2, 5, 6 and 21-34 are also patentable over the cited prior art.

Based on the foregoing amendments and remarks, this application should be in condition for allowance. Early passage of this case to issue is respectfully requested.

It is believed that no fees or charges are required at this time in connection with the present application. However, if any fees or charges are required at this time, they may be charged to our Patent and Trademark Office Deposit Account No. 03-2412.

Respectfully submitted,
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Dated: August 20, 2007